

## **City of Sandy Springs Board of Ethics Meeting held on December 20, 2006 at 9:00 AM**

**Board Members Present:** Jim Langlais, Charles Maddrey, Nancy McCord, Glenn Moffett, Andrew Heyward, and City Attorney Wendell Willard.

Al Reddick, absent, excused.

Richard Isenberg, absent, excused.

**Staff Present:** City Clerk Christina Rowland

### **Call to Order**

**Chairman Langlais** called the meeting to order at 9:00 a.m. He announced that he had received a letter from Mr. Reddick providing his resignation from the Board.

### **Approval of November 15, 2006 meeting minutes**

Mr. Maddrey requested that language regarding the discussion of the section of the Ordinance which was removed by Councilmember Meinzen McEnerny be added to the minutes.

**Motion and Vote:** Mr. Maddrey moved to approve the November 15, 2006 meeting minutes with the amendment noted. Mr. Heyward seconded the motion. The motion carried unanimously.

### **Discussion of bylaws for the Board of Ethics**

**Chairman Langlais** explained the difficulty he has had in finding other bylaws. He presented copies of bylaws from the City of Atlanta and the City of Minneapolis. He suggested that the Board compare the Ethics Ordinance and these Rules of Procedure to develop the Board's bylaws.

**Chairman Langlais** questioned if there were any items in the City Charter that should be taken into consideration while the bylaws are being considered. City Attorney Willard stated that there is nothing in the Charter that addresses these bylaws.

**Chairman Langlais** questioned if any complaints had been filed. City Attorney Willard stated that he was not aware of any.

City Clerk Rowland announced that City Council approved a Resolution adopting the five principals of ethics. This will now be submitted to GMA for consideration as a Certified City of Ethics.

**Chairman Langlais** requested a Proclamation honoring Mr. Reddick.

The Board discussed upcoming meetings. There was a consensus to cancel the January 10, 2007 meeting. The next meeting will be April 11, 2007.

Mr. Maddrey, referring to Section 1.c.5 of the originally proposed Ethics Ordinance, stated that the intention was that if you are employed by the City and have outside employment as well, the outside activity should not reflect badly on the City. He stated that Councilmember Meinzen McEnerny read this to mean that it required people to work outside the City. Mr. Maddrey explained to her that was not the case. He stated that Councilmember Meinzen McEnerny requested that the wording be reconsidered. The Board requested that the City Attorney review this and bring it forward to the Council for consideration.

**Chairman Langlais** suggested that Mr. Heyward be recommended to fill this vacancy. Mr. Maddrey stated that the Board is very appreciative of the hard work done by Mr. Reddick and accept his resignation with regret.

Reviewing the Rules of Procedure from the City of Minneapolis, the following items were discussed:

Discussed the difference between bylaws and Rules of Procedure.

Discussed the needed forms, i.e. complaint forms

Reviewing the Ethics Ordinance, the following items were discussed:

Section 12:

Mr. Maddrey questioned if the Board needed to make a recommendation to the Council to fill the vacant seat of Mr. Reddick. City Attorney Willard explained that the Mayor will make the appointment. He stated that an alternate can be used to fill the vacancy. This recommendation can be made by the Board.

**Chairman Langlais** stated that the terms of the officers were not addressed in the Ordinance. Ms. McCord suggested the language as presented in the Rules of Procedure for the City of Minneapolis as follows:

2.2 Election of Officers. After its establishment, the Board shall elect one of its members to be Chair and one to be Vice Chair. Thereafter, at the Board's first meeting of each calendar year, the Vice Chair shall take the office of Chair and the Board shall elect one of its members to be the next Vice Chair.

The Board concurred.

Section 14:

It was discussed that the City Clerk shall serve as the legal custodian of the Board's records.

Section 13 (a) (1):

Discussed this requirement for the Board to adopt bylaws. It was decided that the City Attorney would develop the procedure and the Board would work on the bylaws. Meeting times and schedules were also discussed. There was a consensus that a hearing was different than a business meeting.

**Chairman Langlais** noted that the Board is late in providing its annual report to the Mayor and Council. City Attorney Willard suggested that since this Board is new, the Board should wait and provide a full year report. Chairman Langlais stated that he would draft a one page report to let the Mayor and Council know what they have been working on and to notify them that no complaints have been received.

**Chairman Langlais** requested that everyone review the handouts and provide feedback and suggestions within the next few weeks.

Ms. McCord noted that there was a reference in the City of Minneapolis bylaws to an anonymous complaint. Mr. Maddrey stated that he remembers some discussion regarding this and it was decided that someone wanting to file an anonymous complaint could ask the City Attorney for an opinion. Discussion followed regarding Whistleblower Laws.

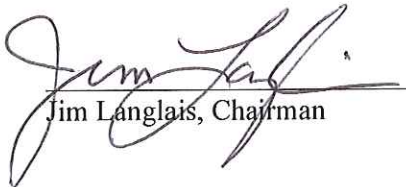
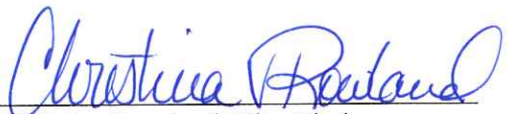
**Chairman Langlais** gave an example of a situation in which an employee might wish to remain anonymous. Ms. McCord pointed out Section 13(b)(4) which allows for an informal opinion by the City Attorney.

Ms. McCord questioned if there was going to be any training for employees. Chairman Langlais stated that it was his opinion that after the bylaws are established, the Board should focus on education. City Clerk Rowland stated that staff would be happy to work with the Board on this matter.

**Chairman Langlais** stated that when he felt the bylaws were close to completion, a meeting would be called. Mr. Maddrey reminded everyone that the January 10, 2007 meeting had been cancelled.

**Adjournment**

Mr. Maddrey moved to adjourn the meeting. Mr. Moffett seconded the motion. The motion carried unanimously. The meeting adjourned at 10:03 a.m.

  
Jim Langlais, Chairman  
Christina Rowland, City Clerk